

REMARKS

Claims 1-17, 20-31, 32-41, 44-55, 58-69 and 72-100 are pending. The Office action indicated claims 1-3, 5, 7, 9, 10, 14, 15, 22, 26, 27, 33-41, 44-55, 58-69, 72-78, and 83-100 are allowed. The Office action indicated claims 20, 21, 23, 24, 28, 29, and 79-82 would be allowable if all of the limitations of the base claim and any intervening claims. Applicants respectfully traverse and request reconsideration.

As a preliminary matter, the office action dated December 28, 2007 on page 18 indicated that claim 32 (relief opening) would be allowable if amended to include all of the limitations of the base claim (claim 11)¹. In reliance to this statement, and to advance prosecution, claim 11 was amended to include the limitations of claim 32, however the latest office action withdrew such allowability and as such claim 11 restored by amendment to remove the limitations of claim 32. Previous similar efforts were made to advance prosecution of this case, such as those made in reliance on the office action of February 9, 2006 indicating claims would be allowed if amended, however subsequent office actions again withdrew allowability of those claims, further prolonging allowance despite extensive prosecution. The office action includes corrections to drawings used as a basis for rejections, and thus for at least these reasons withdrawal of the finality of the current rejection is requested since the basis of the previous rejections was unclear.

¹ The Office action dated December 28, 2007 indicated claims 18-24, 32, 42-44, 56-58, 70-72, and 77-100 would be allowable if the Applicant overcomes the double patenting rejection and includes all of the limitations of the base claim and any intervening claims.

Claim Rejections – 35 USC §103

Claims 4, 6, 8, 11-13, 16, 17 and 25

The Office Action rejects claims 4, 6, 8, 11-13, 16, 17 and 25 under 35 U.S.C. § 103(a) as being unpatentable based on US Patent No. 4,402,118 (Benedetti) in view of Holton (US 3,525,129).

The Office Action acknowledges that Benedetti does not disclose where the spring comprises a relief opening. Applicants repeat the relevant arguments made in previous office actions including those made in the response to the office action dated June 4 2007. For example, the office action points to Fig. 4 of Benedetti at a smooth portion with constant thickness and labels the curved portion “Ripple formed by a depression (curved portion of the hinderance).” However, Benedetti instead shows merely a smooth portion having the same thickness rather than, among other things, a depression. The assertion that Benedetti shows a depression in Fig 4 as reproduced in the office action is directly contradicted by the very same figure showing the thickness of the spring as having a constant thickness rather than, among other things, a depression. Therefore, the combination of Benedetti and Holton as asserted fails to teach, among other things, the hindrance portion comprising only one ripple having the form of a depression, the depression having a deepest part, a back side substantially lacking a front side, and a width, the hindrance portion further having a surface, wherein the depth of the ripple is the distance between the surface of the hindrance portion and the deepest part of the ripple. As a result, the office action fails to establish a prima facie case of obviousness.

The Office Action similarly rejects claims 4, 6, 8, 11-13, 16, 17, 25, 30 and 31 under 35 U.S.C. § 103(a) as being unpatentable based on US Patent No. 6,928,705 (Osterland) in view of Holton (US 3,525,129).

Applicants repeat the relevant arguments above and those made in previous office actions including those made in the response to the office action dated June 4 2007. For example, as with Benedetti above, the Office Action fails to show where Osterland as cited teaches, among other things, a depression and further fails to show: one ripple having the form of a depression, the depression having a deepest part, a back side substantially lacking a front side, and a width, the hindrance portion further having a surface, wherein the depth of the ripple is the distance between the surface of the hindrance portion and the deepest part of the ripple. The office action points to Fig. 4 of Osterland at a spring with constant thickness and labels the curved portion “Substantial Flat Engagement Region (Hinderance Portion).” However, Osterland instead shows merely a spring having the same thickness rather than, among other things, a depression. The assertion that Osterland shows a depression in Fig 4 shown in the office action is directly contradicted by the very same figure showing the thickness of the spring as having a constant thickness rather than, among other things, a depression. Therefore, the combination of Osterland and Holton as asserted fails to teach, each and every element as arranged in the claims. As a result, the office action fails to establish a prima facie case of obviousness.

Regarding the dependent claims, the dependent claims depend on independent claims 1, 11, 32, 33, 38, 47, 52, 61, 66, 75 and 76 adding further limitations and are thus also allowable for at least the reasons the independent claims are allowable. Reconsideration and withdrawal of the rejections is respectfully requested.

Applicants respectfully submit that now the claims are in condition for allowance, and an early Notice of Allowance is earnestly solicited. The Examiner is invited to telephone the below-listed attorney at 708-588-0948 to advance prosecution of this case.

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